

Remarks/Arguments

Reconsideration of this application is requested. Claims 1, 4-10, 13-23, 26-27, and 30 are in the case.

Claim Rejections – 35 USC 103

The Examiner maintained the rejection of claims 1, 2, 10, 11, 21-24, and 26-28, under 35 USC 103(a) as being unpatentable over Ghosh (US 5,149,927). It was argued that Ghosh reveals blends of substituted guanidine salts with isothiazolones in claim 1, biocide concentrations in the paragraph overlapping col. 4-5, adhesives and latices in claim 9, polymers in col. 7, lines 19-28, plasticizers and rheology modifiers in col. 7, lines 29-36, and hydroxyethyl cellulose in Ex. 7 and that it would have been obvious to select applicants' biocides from claim 1 of Ghosh.

Applicants disagree with the argument, since Ghosh does not recognize or teach combining the biocidal compositions recited in claims 1, 2, 10, 11, 21-24, and 26-28, with colloid-stabilized polymer emulsions containing little or no nonionic or anionic surfactants or little or non anionic substituents. Ghosh does not recognize or suggest the need to restrict the amount of nonionic or anionic surfactants or anionic substituents in a polymer emulsion to which is added a cationic compound.

However, in order to advance the prosecution of this case, claims 1, 10, 23, and 27, have been amended to recite --a poly(vinyl alcohol) stabilized-- polymer emulsion in place of "a protective colloid stabilized" polymer emulsion. Claims 2-3, 11-12, 24-25, and 28-29 have been canceled. Claims 4-6, and 8 have been amended to be dependent on claim 1. Claims 13-15, 17, 19, and 20 have been amended to be dependent on claim 10. Claim 26 has been amended to be dependent on claim 23, and claim 30 has been amended to be dependent on claim 27.

Allowable Subject Matter

Claims 3-9, 12-20, 25, 29 and 30 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and an intervening claims. Claim 1 has been amended to incorporate the limitations of claim 3, claim 10 has been amended to incorporate the limitations of claim 12, claim 23 has been amended to incorporate the limitations of claim 25,

Appl. No. 09/997,599

and claim 27 has been amended to incorporate the limitation of claim 29. It is believed that the above recited amendments meet the examiner's requirements for allowance of all claims now in the case.

In view of the amendments and arguments made herein, it is believed that the application is in condition for allowance and should be passed to issue.

Respectfully submitted,

A handwritten signature in cursive script that reads "Mary E. Bongiorno".

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